

## 14.2 DRAFT PLANNING PROPOSAL - 10 AND 20 BROOKS POINT ROAD, APPIN

**File Number:** 12275#944

**Directorate:** Director Shire Futures

### EXECUTIVE SUMMARY

The purpose of this report is to seek a resolution of Council on the draft Planning Proposal for land at No. 10, 14, 20, 30, 50 and 70 Brooks Point Road, Appin.

The site is currently zoned under the *Wollondilly Local Environmental Plan (LEP) 2011* and is also mapped as part of the Greater Macarthur Growth Area under the *State Environmental Planning Policy (Precincts - Western Parkland City) 2021*.

The draft proposal seeks to amend the *Wollondilly LEP 2011* by rezoning land from RU2 Rural Landscape Zone to a combination of R2 Low Density Residential and C2 Environmental Conservation Zones and allow approximately 250 residential lots. The draft proposal includes a local park (0.5 ha) and a drainage reserve (0.77ha). The proposed residential lots sizes are 450sqm, while the C2 zone will maintain a 40ha minimum lot size. The maximum building height is proposed to be 9m for the residential land.

An earlier version of the draft proposal has undergone a preliminary consultation period over four weeks (28 days) in line with Council's Community Participation Plan. The consultation period ran from 22 February until 22 March 2023. Fifty-two (52) community submissions were received during this period, with ten (10) submissions received from State agencies.

The key issues raised included: infrastructure needs; loss of rural character; emergency and evacuation concerns; traffic increase; environmental impacts, and the cumulative impact of all the rezoning's in and around Appin.

These submissions, together with the earlier version of the draft proposal, were reported to the Wollondilly Local Planning Panel (Panel) on 1 June 2023. The Panel also considered some amended plans that were submitted on 28 May 2023.

The Panel recommended that Council not support the draft proposal in its current form, and that additional information would be required, before Council considers it. In response, a revised planning proposal package was submitted to Council on 13 September 2023 and is now tabled for consideration by Council.

This report notes that there is strategic merit in the Brooks Point Road site for rezoning, noting the State led rezoning's that have occurred, and are occurring within Appin. However, there is still a need for a wider body of work by the State Government to provide the understanding of priority staging and delivery of road, sewer and water infrastructure to service any new development in Appin. This is consistent with the messaging and priority within Wollondilly 2040.

On this basis, it is recommended that the draft planning proposal not progress to Gateway determination.

### RECOMMENDATION

That Council:

1. Note the recommendations of the Wollondilly Local Planning Panel.
2. Not progress the draft planning proposal for a Gateway determination on the basis that it:
  - a) Is inconsistent with the Council's position in the Wollondilly Local Strategic Planning Statement (Wollondilly 2040) that without the early identification, planning for and commitment to infrastructure in Appin, any planning proposals would be inappropriate.
  - b) Does not provide an indicative infrastructure plan nor does it look at the cumulative

development occurring in Appin.

3. Notify the proponent, landowners and any person who made submissions regarding the planning proposal of Councils decision.
4. Calls for the Department of Planning and Environment to finalise a staging and sequencing Plan for Greater Macarthur, to ensure all future development within Greater Macarthur is well planned and serviced.

## REPORT

The applicant, Beveridge Williams Land Development and Infrastructure Consultants lodged a revised draft planning proposal on 13 September 2023, seeking Council support to amend the *Wollondilly LEP 2011* for six lots at 10, 14, 20, 30, 50 and 70 Brooks Point Road Appin. The proposal seeks to rezone, amend the minimum lot size map, introduce a maximum building height limit of 9m. The application payment was received on the 21 January 2023.

A copy of the draft proposal, as received on 13 September 2023, is provided at **Attachment 1**.

## Site Description

The draft proposal relates to land located south of the Appin Town Centre bound by Appin Road to the east, Brooks Point Road to the south and Ousedale Creek to the west. Centre interactions surrounding the proposal include Campbelltown Town Centre (approx. 16km), Wilton (approx. 10km) and Picton Town Centre (approx. 16km).

A map showing the location of the site is provided at Figure 1.



Figure 1: Planning Proposal location map

The site comprises six lots covering approximately 37 hectares as identified in Table 1.

LOT/DP	ADDRESS	OWNER	AREA (ha)
Lot 1/ DP 249446	10 Brooks Point Road APPIN NSW 2560	Appin Farmers Pty Ltd	10.66
Lot 2/ DP 584515	14 Brooks Point Road APPIN NSW 2560	Mr G A Reid & Mrs D Reid	0.3
Lot 1/ DP 584515	20 Brooks Point Road APPIN NSW 2560	Auslands Developments Pty Ltd	1.723
Lot 3/ DP 249446	30 Brooks Point Road APPIN NSW 2560	Auslands Developments Pty Ltd	2.023
Lot 4/ DP 249446	50 Brooks Point Road APPIN NSW 2560	Appin Farmers Pty Ltd	11.2
Lot 5/ DP 249446	70 Brooks Point Road APPIN NSW 2560	Appin Farmers Pty Ltd	11.16
TOTAL			37.066 ha

*Table 1: Planning Proposal site lots and area*

There is an existing residential dwelling on Lot 14 within the site.

The eastern side of the site is characterised by two slopes converging in the centre of the site. A gradual slope with a south aspect on the north side of the site and a north aspect slope on the southern edge. The western edge of the site is dominated by the native vegetation and water course.

The attributes of the site are identified in Table 2.

ATTRIBUTE	DESCRIPTION
LAND ZONE	RU2 Rural Landscape
LOT SIZE	40ha
HEIGHT	N/A
NATURAL RESOURCES – BIODIVERSITY	N/A
NATURAL RESOURCES – WATER	The site is partially mapped as Natural Resources-Water under the Wollondilly LEP 2011. This is only applicable to the riparian corridor buffer for Ousedale Creek which will not impact the proposed residential rezoning.
HERITAGE	The site does not contain any known mapped heritage items however it is proximate to two known heritage sites.
BUSHFIREPRONE LAND	The site is partially classed as bushfire prone.
FLOOD PRONE LAND	The site is not identified as flood prone.
MINE SUBSIDENCE	The site is located within the Appin Subsidence District.
CUMBERLAND PLAIN CONSERVATION PLAN (CPCP)	The site is affected by the CPCP and is part certified at a State level. Federal sign off is still pending.

*Table 2: Planning Proposal site attributes*



## Background

The applicant Beveridge Williams Land Development and Infrastructure Consultants lodged a draft Planning Proposal on 20 December 2022, seeking Council support to amend the Wollondilly LEP 2011 for land at No. 10, 14, 20, 30, 50 and 70 Brooks Point Road Appin. The draft proposal sought to rezone, amend the minimum lot size map ranging from 250sqm and 450sqm, introduce a maximum building height limit and seek additional permitted uses related to stormwater management system in C2 Environmental Conservation zone.

The draft proposal was notified to the community in February until March 2023 through Council's preliminary notification process.

A report was presented to the Wollondilly Local Planning Panel (Panel) for advice. An amended concept plan and letter addressing the points raised in the in the LPP report was submitted two days prior to the meeting. The Panel comments are provided at Attachment 2.

Following the Panel meeting, the applicant acknowledged the need for additional studies to support the draft proposal. The revised draft proposal, submitted on the 13 September 2023, addresses concerns and issues raised in the Panel report and subsequent resolution.

This report addresses the revised draft planning proposal package.

## Description of Proposal

The objectives of the draft Planning Proposal are to:

- Facilitate the residential development of the Greater Macarthur Growth Area
- Establish minimum lot sizes for the residential subdivision to provide a mix of allotment sizes and orientation
- Enable the potential to support 250 residential lots
- Respond to the environmental character of the site

To implement these objectives, the draft proposal seeks the following amendments to *Wollondilly LEP 2011*:

- Rezone from current RU2 Rural Landscape to R2 Low Density Residential and C2 Environmental Conservation zones.
- Amend the minimum lot size from 40ha to 450sqm in the proposed R2 Low Density zone and 40 hectares in the C2 Environmental Conservation zone.
- Amend the height of building map to include a maximum building height of 9m to facilitate two storey residential development
- Provide a local park and drainage reserve within the R2 Low Density Residential zone.

The current and proposed zones, lot sizes and building height are identified in Figures 2 - 4.

The proposed master plan with indicative lot layout t is provided at Figure 5.



Figure 2: Current zone vs proposed land use zone map

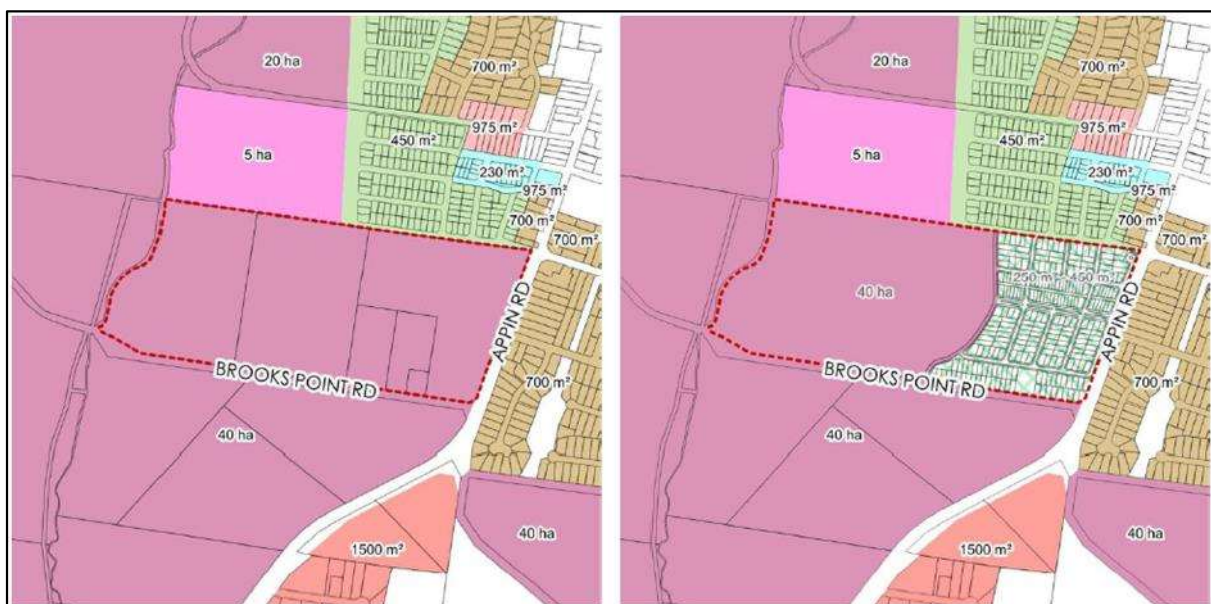


Figure 3: Current Minimum Lot size map vs proposed (450m2)



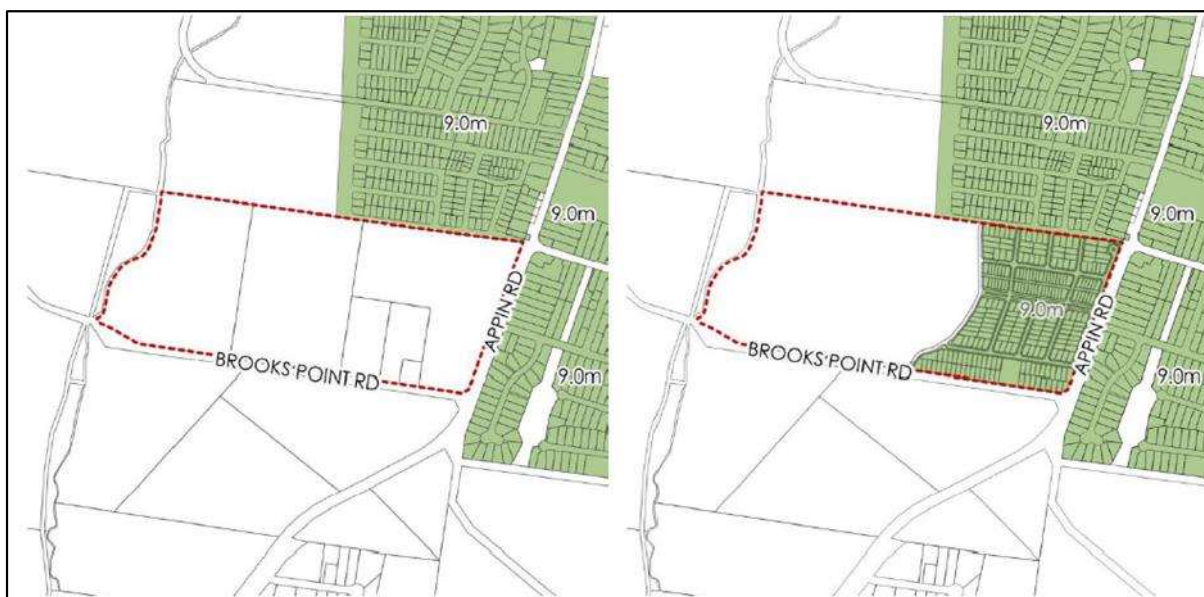


Figure 4: Current building height map vs proposed

It is proposed that a detention basin, gross pollutant trap and bioretention facility are to address water quantity and quality management requirements which will be constructed and contained within the drainage reserve as determined by Council. Noting no VPA has been submitted to Council in support of the draft proposal as required for any land dedication outside of a contributions plan

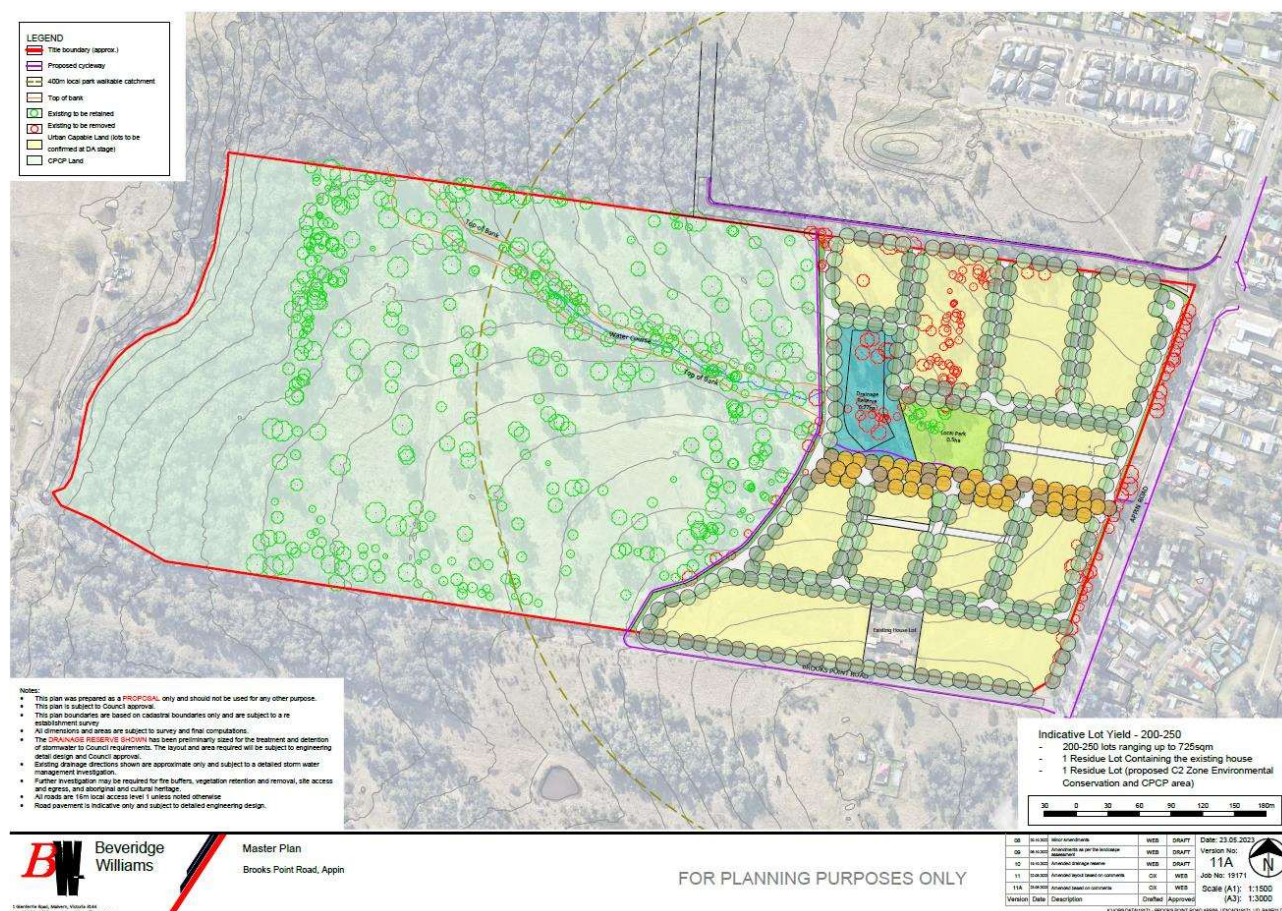


Figure 5: proposed master plan with indicative lot arrangement

## PLANNING CONTEXT

The planning context for the draft Planning Proposal incorporates both State and local planning policies. The intent of the draft proposal is to rezone the land under the *Wollondilly LEP 2011* despite the site falling into the Greater Macarthur Growth Area. Should a planning proposal progress for the site, it would be appropriate for the site to be rezoned under the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* as the primary environmental planning instrument to facilitate the proposed development, noting both instruments (SEPP and LEP) will require amendments.

It is best practice to look at the site in the full context of the Greater Macarthur Growth Area including, infrastructure planning for total cumulative growth, road network, community facilities and services.

A full assessment of the draft proposal against the strategic planning framework is provided at **Attachment 3** and summarised below.

### Greater Sydney Region Plan

The draft proposal has been assessed against the following themes of the *Greater Sydney Region Plan* (Region Plan) and their supporting 10 directions: Infrastructure and Collaboration; Liveability; Productivity; and Sustainability.

The draft proposal and is considered to be generally consistent with the Region Plan.

### Western City District Plan

The draft proposal is generally consistent with the *Western City District Plan* (District Plan), with the exception of the following planning priorities:

- W1(*Planning for a city for a supported by infrastructure*) and W3 (*Providing services and social infrastructure to meet peoples changing needs*). These priorities suggest a well-connected city supported by infrastructure however the draft proposal lacks detail to account for the longer-term cumulative burden on the existing road network that the proposal contributes. The necessity of other developers/proposals to deliver infrastructure such as road upgrades and deliver lead in services is needed for the long-term viability of the Appin precinct. The proposal will require further work in this space should it be determined to progress and outline the method to contribute to deliver critical infrastructure needed.
- W20 (*Adapting to the impacts of urban and natural hazards and climate change*). This direction warns against placing developments in hazardous areas or increasing the density of development in areas with limited evacuation options increases risk to people and property. In the absence of a staging and delivery plan for critical road infrastructure in the vicinity the proposal is likely to require further work in this space.

### Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (2018)

The draft proposal is generally consistent with the following plans:

- Greater Macarthur 2040
- Guide to Greater Macarthur Growth Area 2022
- The updated structure plans in the Guide to Greater Macarthur Growth Area 2022,

### The Cumberland Plain Conservation Plan

The CPCP mapping and the proposed C2 Environmental Conservation zone appears to be consistent with the proposal.

The proposed C2 Environmental Conservation areas have been identified as containing a range of high biodiversity values including core koala habitat, areas of critically endangered ecological communities (CEEC), threatened species habitat and riparian corridors.

The draft proposal is generally consistent with the planning controls of the CPCP.



### Wollondilly 2040 - Local Strategic Planning Statement (2020)

The draft Proposal is inconsistent with Wollondilly's LSPS Planning Priority 3 Establishing a framework for sustainable managed growth.

Council's position in the LSPS is that without the early identification, planning for and commitment to infrastructure in Appin, any planning proposal would be inappropriate.

### State Environmental Planning Polices

The draft proposal is consistent with all applicable State Environmental Planning Polices.

The draft proposal aligns and gives action to the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*. The site is located in the Greater Macarthur Growth Area as shown in the Greater Macarthur Growth Area Precinct Boundary Map. With specific reference to the Greater Macarthur Growth Area precinct structure plan, the draft proposal is consistent with the area identified for urban development purposes.

### Ministerial Directions

The draft proposal is generally consistent with the Section 9.1(2) Ministerial Directions.

### Consultation

As part of our commitment to early engagement with the community and other stakeholders, preliminary notification has been undertaken in accordance with Council's adopted *Community Participation Plan* and *Planning Proposal Policy*. The draft proposal was exhibited for 28 days from 22 February 2023 to 22 March 2023.

The consultation documents were published on Council's engagement platform, Your Say Wollondilly, along with supporting information.

In particular, community and stakeholder engagement were encouraged through:

- Public notification in local newspaper District Reporter
- Notification to relevant public authorities in writing
- Notification letters were sent to all affected landowners and occupants
- Hard copies of the draft planning proposal were available for inspection at Wollondilly Library and Council's administration building and the Wollondilly Wanderer
- Promotion through Facebook posts on Council's Facebook page

### Community Consultation

There were fifty-two (52) community submissions during the preliminary notification period. All community submissions were not supportive of the planning proposal. A Facebook post on 22 February had 2,524 engagements (clicks, likes/reactions, comments, shares etc).

The key messages heard through this process included:

- The lack of adequate infrastructure including schools and roads
- High levels of traffic congestion that currently exist
- The impact of "tiny lots" on the rural character of Appin
- Concern for the environmental impact of development
- The implications of increased development on evacuation routes and capacity to facilitate adequate evacuation
- Concerns around the emergency service response times



- The lack of discussion around cumulative impact of all future development in Appin currently being considered

Key needs identified by the community submission included more Infrastructure:

- Road upgrades and new roads
- Local Parks
- Shops for growing community
- Community Facilities for growing community
- Need for a local high School
- Need for Hospital services
- Stormwater/ drainage
- Sewerage management
- Issues with existing water pressure
- Electricity / power outages
- Public transport options are limited

A full assessment of the community submissions and Council officer response is provided at **Attachment 4** and summarised below.

#### Lot Size

Submissions expressed concern that the 250sqm and 450sqm lots are too small and that they would through this development lose small town feel. The lot sizes proposed do provide a diversity in housing supply options however given the concerns raised, interface treatments should be considered in the design with larger lots that front Appin Road transitioning to smaller lots. The draft proposal reaffirms a commitment to the Wollondilly Local Planning Panel to incorporate a minimum lot size of 450sqm.

#### Koala Habitat

There was also concerns that the development would impact koala habitat, native flora and fauna on the site and possibly impact on the Ousedale Creek via reduced water quality due to proximity to development. The location of the local park and drainage reserve has been amended with the current draft planning proposal to avoid the impact on the proposed C2 land.

#### Bushfire and Evacuation

In regards to bushfire and evacuation, the submissions highlighted the threat to the safety of the community associated with the lack of road options should mass evacuation be necessary.

The submissions called for evacuation calculations to consider the local businesses, the mines, livestock, additional development proposals on top of the existing residents. The times expressed to evacuate were considered by residents as being unsafe.

Additional modelling has been included in the draft proposal following the concerns raised around evacuation. The updated modelling demonstrates acceptable capacity and is discussed in further detail later in this report.

#### Emergency Response Times

There were additional concerns raised around the emergency response times for health emergency services as well as crime incidents noting that increased development requires adequate support services.

Rural Fire Service raised no objections to the draft proposal subject to a requirement that the future subdivision/development of the land complies with *Planning for Bush Fire Protection 2019*.

### Consultation with Public Agencies

While not required under Council policy, consultation with public agencies was undertaken at the preliminary assessment stage. In response, the following ten (10) agencies provided feedback:

- Department of Planning and Environment
- Environmental Protection Authority
- Transport for NSW
- Heritage NSW
- Water NSW
- Environment and Heritage Group
- Subsidence advisory NSW
- State Emergency Service
- Sydney Water
- NSW Rural Fire Service

Council Resolution 153/2022 states that in the event that public agencies are unable to meet their obligations to provide a response on a draft Planning Proposal, that the draft proposal be assessed as if it is not supported by the agency. It is noted that the following two (2) agencies did not provide feedback and as such, are deemed to not support the draft proposal:

- Schools Infrastructure NSW
- South Western Sydney Local Health District (SWSLHD) Population Health

Public agency submissions form an important part of the assessment process as they are the owners and practitioners of technical servicing information and utility infrastructure. The relevant agencies must be satisfied that the draft planning proposal does not have an adverse impact on the capacity for them to service the site and surrounding area, in order to proceed.

The draft proposal (as revised) addresses the agency issues raised during preliminary notification. With the revised information, agencies will have further opportunity to consider the proposal post Gateway, should the proposal progress.

The full summary of public agency submissions and Council officer response is provided at **Attachment 5**.

### Consultation with the Wollondilly Local Planning Panel

As required by the Ministerial direction issued on 27 September 2018, the proposal was reported to the Wollondilly Local Planning Panel (Panel) for advice.

The Panel reviewed a subsequently superseded plan received from the proponent dated 28 May 2023.

The Panel noted that the proposal did have site specific and strategic merit, but recommended Council not progress the proposal in its form at that time, and that additional information be provided including:

- Revised Flora and Fauna (including Koala habitat impacts)
- Revised Traffic and Transport Study
- Revised Bushfire Assessment Report and Emergency Evacuation
- Flood Impact and Risk Assessment
- Infrastructure considerations

- Long term Maintenance and ownership of environmental Lands, local park and drainage reserve.

The Panel supports the applicant's agreement to accept a min allotment size of 450sq m in the future re-subdivision of the land consistent with the local character.

The Panel notes that the required amendments to the Planning Proposal will not require further consideration and or advice by the Panel subject to the additional information outlined being provided to the Council.

A copy of the Panel comments is provided at **Attachment 2**.

The draft proposal (as revised) has addressed the additional information requested from the Panel.

### **Council's Key findings and areas of Concern:**

The revised planning proposal addresses the staff issues raised during the preliminary notification.

The full summary of submissions and the response to the issues can be found at Attachment 6.

#### Traffic and Road Network

There is the significant need for a State led prioritised delivery and staging plan for the wider Greater Macarthur Growth Area. As a result of the State rezoning of 12,000 lots in Appin, with the absence of a set plan, an additional 250 lots are most likely to have negligible cumulative detriment to the community, that is a 2% increase on the initial rezoning. The need for a delivery program is priority and should accompany a Gateway approval.

#### Heritage

The proposed area for rezoning does not include any identified State Heritage Register (SHR) items within its boundary. State Heritage Register listed sites are in the vicinity of the subject site including the Appin Massacre Cultural Landscape' and 'Windmill Hill Group, including Ruins' but are considered to be not impacted by the scale of the proposed development.

None of the area within the proposed residential zoning has been determined to be of Aboriginal origin. Further to this there was no evidence of past Aboriginal use, and there is little or no likelihood for substantial or significant subsurface deposits.

#### Sewer and Water Infrastructure

Council has been advised by Sydney Water that there are currently no connections available to the subject site for either reticulated potable water or wastewater. The draft proposal has provided its intended solution to service its site. There is a precinct wide concern about the staging and feasibility of delivery the necessary infrastructure to the area, and following a similar approach undertaken by the State led rezoning, contributions and the necessity for infrastructure in the area is required before development can occur.

#### Biodiversity

The proposed C2 Environmental Conservation zoned areas have been identified as containing a range of high biodiversity values including core koala habitat, areas of critically endangered ecological communities (CEEC), threatened species habitat and riparian. Beyond the draft proposal, there will likely be a need for a Vegetation Management Plan and Koala Management Plan for the site to address the high risk. Under the draft proposal, flora and fauna is set to be protected by the controls of the CPCP and proposed C2 zoning. The C2 land is identified to be held in private ownership of the proponent with a vegetation management plan to accompany the development.

#### Health

The Social and Health Impact Report would be required to deliver a site-specific DCP to ensure that adequate mitigations are guaranteed prior to finalisation of the proposal. Such a DCP should include an indicative layout plan clearly showing walking and cycling infrastructure (both within the



site and linking it to the town centre) and open space. Should the proposal be supported, a proponent led DCP will be required, utilising the Wilton DCP as the base.

### Emergency Risk and Evacuation

#### *Bushfire*

The site is identified to be partially bushfire prone. The site is within the context of a planned growth area suggesting the severity of bushfire risk will likely be reduced as the precinct develops. There is continuing risk of Bushfire across the ecologically sensitive vegetation in the C2 Zone. The proposal identifies that there is an appropriate level of evacuation capacity with the additional development including the proposal North of the site. The Strategic Bushfire Study stated that the *“protection measures discussed will not result in areas that are difficult to evacuate, create control difficulties during a bushfire or adversely affect other bush fire protection strategies or place existing development at increased risk.”*

The RFS also raises no objections to the proposal subject to a requirement that the future subdivision/development of the land complies with *Planning for Bush Fire Protection 2019*.

It is a priority of the Appin precinct to ensure the safety and capacity to evacuate is not affected by development. Noting this need further work will need to be allocated to investigating infrastructure staging and delivery that reduce the risk for the community.

It has been noted that Asset protection zones (APZ) are not to encroach onto existing Strategic Conservation Area. Scattered existing trees are to be retained within APZs where possible. Existing groundcover should be retained within APZ therefore, minimising bulk earthworks in these areas to reduce the disturbance footprint.

#### *Flooding*

The site of the proposal is identified to not be at risk of flooding.

### Mining

The site of the proposal is located within a declared Mine Subsidence District and future development will require approval from Subsidence Advisory.

## **Other Planning Proposals in Greater Macarthur**

### Appin (part) precinct Planning Proposal

The new urban development zone is for a 1,378-hectare site within the Appin Precinct and will provide for up to 12,900 new homes, including affordable housing. It will also feature regional open space and local centres.

The Appin (part) Precinct planning proposal is a state led and has been finalised. Rezoning of the area will come into effect on 15 December 2023.

This has challenged the position identified in the LSPS for Appin to be a longer-term delivery and requirements for an infrastructure delivery plan for the precinct. With the progression of such planning proposals appropriate consideration will need to be made in regards to the context of smaller planning proposals arising in the vicinity of the already finalised rezoning of the Appin (part) Precinct.

The Appin (part) precinct Structure Plan is provided at Figure 6.

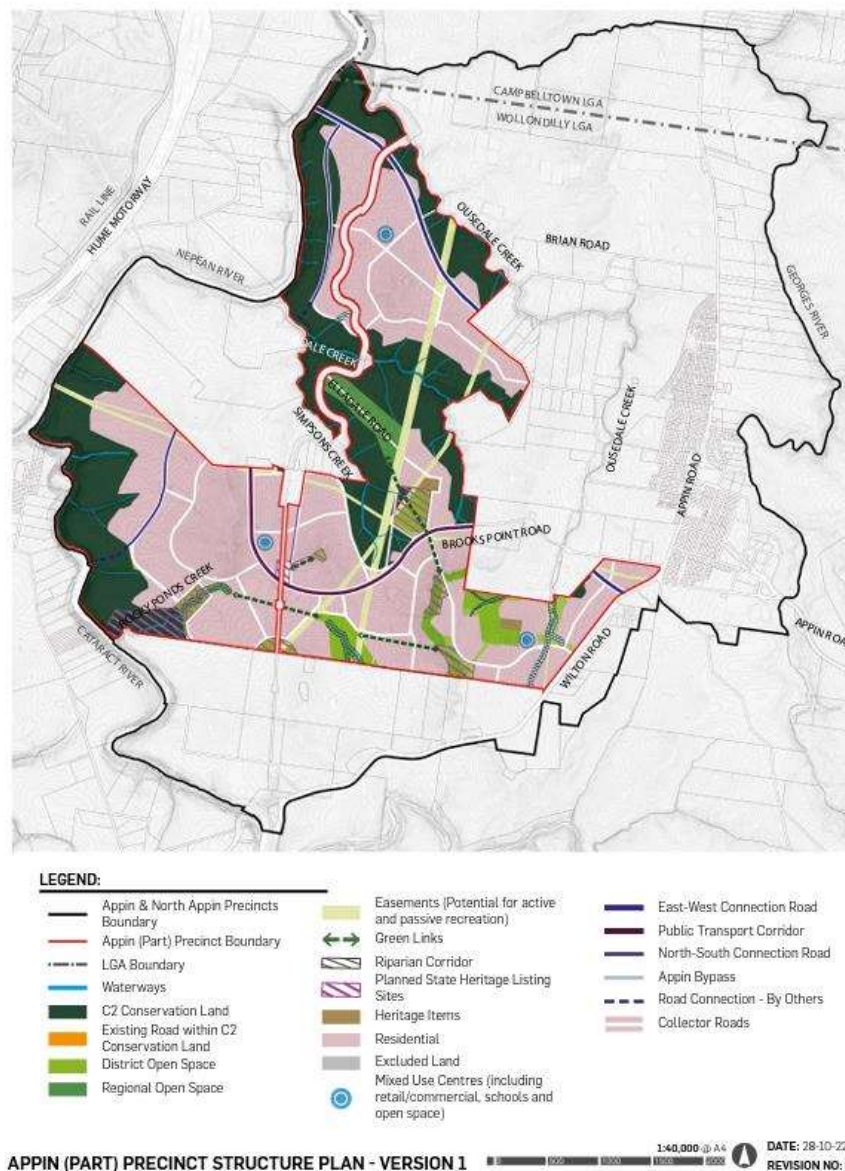


Figure 6: Appin (Part) Precinct Structure Plan (28/10/23)

### North Appin (part) precinct Planning Proposal

North Appin (part) was lodged to the Department of Planning and Environment in August 2023. It is not currently on exhibition but it is expected to be placed on exhibition shortly as per the Department of Planning and Environment webpage.

This planning proposal consists of an additional 3000 new homes while also providing a local centre, school, new open space and improving transport connections within the area.

This has challenged the position identified in the LSPS for Appin to be a longer-term delivery and requirements for an infrastructure delivery plan for the precinct. With the progression of such planning proposals appropriate consideration will need to be made in regards to the context of smaller planning proposals arising in the vicinity.

The draft North Appin (part) precinct Structure Plan is provided at Figure 7.



Figure 7: Draft North Appin (part) Precinct Structure Plan

## Conclusion

The draft Planning Proposal seeks to rezone land in Brooks Point Road, Appin from RU2 Rural Landscape to R2 Low Density Residential and C2 Environmental Conservation, amend the minimum lot size to 450sqm and introduce a 9m maximum building height for the proposed R2 zone. The inclusion of a local park, sewage reticulation systems (pumping station) and a drainage detention basin structure in the R2 zone.

The proposed C2 area has been identified as containing a range of high biodiversity values including core koala habitat, areas of critically endangered ecological communities (CEEC), threatened species habitat and riparian corridors.

The LSPS states Council's position that without the early identification, planning for and commitment to infrastructure in Appin, any planning proposals would be inappropriate. The draft proposal does not provide an indicative infrastructure plan nor does it look at the cumulative development occurring in Appin.

On this basis, Council is unable to support the plan in its current context.

It is acknowledged that the proponent has carried out a significant line of work to address a number of planning issues, however, these changes do not override or warrant dispersing with Councils adopted Wollondilly 2040.

There is significant precinct wide work still to be completed to move beyond the planning proposal stage, which for the Brooks Point Road proponent will need to contribute its appropriate share.

The proposal has presented its impact to the expected growth in Greater Macarthur, however there is no plan for the delivery of infrastructure and while relying heavily on other developers securing lead in work.

The short comings of the draft proposal are in relation to a wider need for the staging and infrastructure delivery plan for the precinct, therefore it is also recommended Council again call upon the State Government to commit to undertaking and sharing this work.

Should a planning proposal progress for the site, it would be appropriate for the site to be rezoned under the State Environmental Planning Policy (Precincts—Western Parkland City) 2021 as the



primary environmental planning instrument to facilitate the proposed development, noting both instruments (SEPP and LEP) will require amendments.

### Options for moving forward

The draft Planning Proposal has been prepared in accordance with the *Environmental Planning & Assessment Act 1979* and the guidelines published by the Department of Planning and Environment.

The options to be considered by Council are:

- **OPTION 1:** Resolve to not support the draft Planning Proposal whilst calling on the Department of Planning to progress the critical infrastructure work for staging and sequencing plans for the broader State Led growth area.
- **OPTION 2:** Resolve to support the draft Planning Proposal as per this report. With this option there is accompanying conditions to be addressed prior to Gateway including:
  - the need for a revised commitment that details the plan for necessary Contributions
  - A precinct wide infrastructure delivery staging and delivery plan outlining priority infrastructure needs.
- **OPTION 3:** Resolve to support the Planning Proposal in a different form which needs to be identified and clarified in regards to the amendments being sought.

Option 1 is the recommendation of this report.

### Financial Implications

Funding for this assessment of the planning proposal has been covered by the operational budget, with income from Councils adopted planning proposal fees and charges.

### ATTACHMENTS

1. **Attachment 1\_Brooks Point Road Appin Planning Proposal - 19171** 
2. **Attachment 2\_Wollondilly Local Planning Panel Minutes** 
3. **Attachment 3\_Ministerial Directions\_State and Local Planning Policy Assessment** 
4. **Attachment 4\_Table summarising Community and Stakeholder matters raised in preliminary notification** 
5. **Attachment 5\_Table summarising Agency matters raised in preliminary notification** 
6. **Attachment 6\_Revised planning proposal package Letter** 